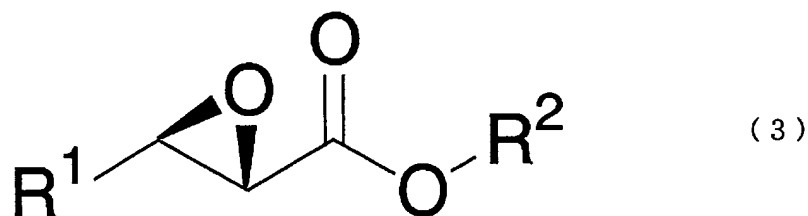


**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-8. (Canceled).

9. (Currently Amended) An optically active epoxyster derivative ~~in the (2S,3R) or (2R,3S) form~~ of the following formula (3):



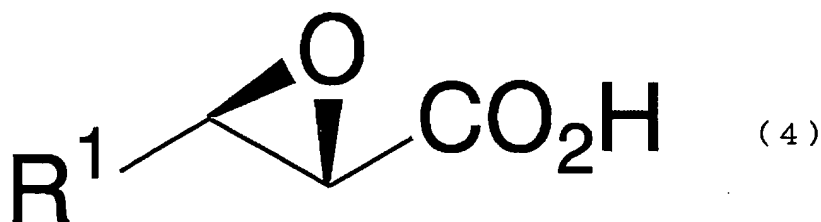
wherein R¹ is a methyl group, an ethyl group or a C<sub>3-10</sub> branched, linear or cyclic alkyl group, and R² is a phenyl group, a substituted phenyl group or a tert-butyl group, wherein the optical conformation of formula (3) is (2S,3R).

10. (Original) The optically active epoxyster derivative according to Claim 9, wherein in the formula (3), R¹ is a cyclohexyl group, an isopropyl group or a n-butyl group.

11. (Original) The optically active epoxyster derivative according to Claim 9, wherein in the formula (3), R² is a phenyl group, a 4-methoxyphenyl group or a tert-butyl group.

12. (Withdrawn) A process for producing an optically active epoxyster derivative of the formula (3) as defined in Claim 9, which comprises oxidizing the optically active epoxyenone derivative of the formula (1) as defined in Claim 1 with an oxidizing agent.

13. (Withdrawn) A process for producing an optically active (2S,3R)-2,3-epoxypionic acid derivative having a substituent at the 3-position, of the following formula (4):

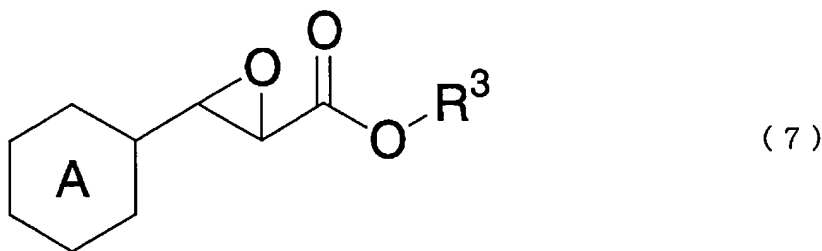


wherein R<sup>1</sup> is a methyl group, an ethyl group or a C<sub>3-10</sub> branched, linear or cyclic alkyl group, which comprises hydrolyzing the optically active epoxyster derivative of the formula (3) as defined in Claim 9.

14. (Withdrawn) The process for producing an optically active (2S,3R)-2,3-epoxypropionic acid derivative according to Claim 13, wherein in the formula (4), R<sup>1</sup> is a cyclohexyl group, an isopropyl group or a n-butyl group.

15.-25. (Canceled).

26. (Withdrawn) A process for producing an optically active 2,3-epoxy-3-cyclohexylpropionic acid and its ester, which comprises reacting an enzyme having an ability to asymmetrically hydrolyze an ester bond, to a mixture of a (2R,3S)-2,3-epoxy-3-cyclohexylpropionate and a (2S,3R)-2,3-epoxy-3-cyclohexylpropionate, of the 2,3-epoxy-3-cyclohexylpropionate of the following formula (7):



wherein ring A is a cyclohexyl group which may have a substituent, and R<sup>3</sup> is an ester residue, for stereoselective hydrolysis, followed by separation and purification.

27. (Withdrawn) The process for producing an optically active 2,3-epoxy-3-

cyclohexylpropionic acid and its ester according to Claim 26, wherein in the formula (7), the ester residue  $R^3$  is a  $C_{1-10}$  linear, branched or cyclic saturated or unsaturated aliphatic hydrocarbon group, a  $C_{5-10}$  aromatic hydrocarbon group, an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5 halogen atoms, an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5  $C_{1-5}$  alkyloxy groups, an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5  $C_{2-5}$  alkyloxyalkyl groups, a methylene group bonded with a  $C_{5-10}$  aromatic hydrocarbon group, a methylene group bonded with an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5 halogen atoms, a methylene group bonded with an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5  $C_{1-5}$  alkyloxy groups, or a methylene group bonded with an aromatic hydrocarbon group having the nucleus substituted by from 1 to 5  $C_{2-5}$  alkyloxyalkyl groups.

28. (Withdrawn) The process for producing an optically active 2,3-epoxy-3-cyclohexylpropionic acid and its ester according to Claim 26, wherein the enzyme is a lipase or an esterase.

29. (Withdrawn) The process for producing an optically active 2,3-epoxy-3-cyclohexylpropionic acid and its ester according to Claim 26, wherein an enzyme which selectively hydrolyzes a (2S,3R)-2,3-epoxy-3-cyclohexylpropionate, is used, whereby from the aqueous phase, a (2R,3S)-2,3-epoxy-3-cyclohexylpropionic acid is obtained, and from the organic solvent phase, a (2S,3R)-2,3-epoxy-3-cyclohexylpropionate is obtained.

30. (Withdrawn) The process for producing an optically active 2,3-epoxy-3-cyclohexylpropionic acid and its ester according to Claim 26, wherein an enzyme which selectively hydrolyzes a (2R,3S)-2,3-epoxy-3-cyclohexylpropionate, is used, whereby from the

aqueous phase, a (2R,3S)-2,3-epoxy-3-cyclohexylpropionic acid is obtained, and from the organic solvent phase, a (2S,3R)-2,3-epoxy-3-cyclohexylpropionate is obtained.